

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAYSEAN JENKINS,

Plaintiff,

v.

NORTHERN NEVADA CORRECTIONAL
CENTER, et al.,

Defendants.

Case No.: 3:22-cv-00461-MMD-CLB

ORDER

I. DISCUSSION

On November 21, 2022, the Court ordered Plaintiff to file a complete application to proceed *in forma pauperis*, as well as a signed complaint, by December 21, 2022. (ECF No. 4.) Plaintiff has filed a complete application to proceed *in forma pauperis*, and a first amended complaint. (ECF Nos. 5, 6.) But Plaintiff did not sign first amended complaint. (ECF No. 6 at 6.)

As the Court explained in its previous order, under Rule 11 of the Federal Rules of Civil Procedure, a plaintiff who is not represented by counsel is required to sign every pleading that he files. Fed. R. Civ. P. 11(a). “The court must strike an unsigned paper unless the omission is promptly corrected after being called to the . . . party’s attention.” *Id.* As such, the Court cannot accept the unsigned first amended complaint. The Court will give Plaintiff an extension **until January 27, 2023**, to file a complete, signed, first amended complaint.

II. CONCLUSION

It is therefore ordered that Plaintiff has **until January 27, 2023**, to file a complete, signed, first amended complaint.

Plaintiff is cautioned that this action will be subject to dismissal without prejudice if Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a signed complaint.

1 The Clerk of the Court is directed to send Plaintiff Daysean Jenkins the approved
2 form for filing a § 1983 complaint, instructions for the same, and a copy of his first
3 amended complaint (ECF No. 6).

4 DATED THIS 28th day of December 2022

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UNITED STATES MAGISTRATE JUDGE